

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	DATE FILED:
	:	
v.	:	CRIMINAL NO. 03-
	:	
HAROLD BALLOU, JR.	:	VIOLATIONS: 21 U.S.C. § 846
MICHAEL SAVARESE		(Attempt to manufacture methamphetamine - 1 Count)
		21 U.S.C. § 841(c)(1) and (2)
		(Possession of a listed chemical, Pseudoephedrine - 1 Count)
		21 U.S.C. § 843(a)(6) and (d)(2)
		(Possession of 3 neck round bottom flask to manufacture methamphetamine - 1 Count)
		18 U.S.C. § 2
		(Aiding and abetting - 2 Counts)
		21 U.S.C. § 853
		(Notice of criminal forfeiture)

INDICTMENT

COUNT ONE

(Attempt to manufacture methamphetamine)

THE GRAND JURY CHARGES THAT:

At all times relevant to this Indictment:

1. The defendants HAROLD BALLOU, JR. and MICHAEL SAVARESE, attempted to manufacture methamphetamine for profit and aided and abetted its manufacture.
2. The defendant HAROLD BALLOU, JR. maintained a clandestine methamphetamine laboratory and stored various chemicals and equipment to facilitate the clandestine methamphetamine laboratory, inside Locker # 76 in the Amity Self Storage Complex, located at 100 Ben Franklin Highway, off Route 422, in Amity Township, Berks County, Pennsylvania.

3. The defendant HAROLD BALLOU, JR., acquired and stored chemicals for use in the manufacture of methamphetamine, including but not limited to: Pseudoephedrine, Acetone, Hydrochloric Acid, Isopropyl Alcohol, Red Phosphorous, and Iodine.

4. The defendant HAROLD BALLOU, JR. acquired and stored glassware for use in the manufacture of methamphetamine, including but not limited to: 500 ml single neck flask with round bottom, 1000 ml flask, 1000 ml separatory funnel, 250 ml graduated cylinders, and a 500 ml three neck, round-bottom flask.

5. On or about November 13, 2001, defendant HAROLD BALLOU, JR. possessed approximately 25,920 mg of Pseudoephedrine, having disposed of 9 empty boxes of "Equate Suphedrine," a Wal-Mart generic brand of Pseudoephedrine, outside his residence located at 202 Cameron Drive, Douglassville, Pennsylvania. These boxes contained a total of 864 tablets, each box containing 96 tablets, and each tablet containing approximately 30 mg of Pseudoephedrine.

6. On or about November 27, 2001, at approximately 2:30 a.m., defendant HAROLD BALLOU, JR. possessed approximately 11,520 mg of Pseudoephedrine, having purchased 4 boxes of CVS pharmacy brand Pseudoephedrine. These boxes contained a total of 384 tablets, each box containing 96 tablets, and each tablet containing approximately 30 grams of Pseudoephedrine.

7. On or about December 4, 2001, defendant HAROLD BALLOU, JR. possessed approximately one-gallon of Acetone, having disposed of a one-gallon can of Acetone outside his residence located at 202 Cameron Drive, Douglassville, Pennsylvania.

8. On or about January 11, 2002, defendant HAROLD BALLOU, JR. possessed approximately 8,640 mg of Pseudoephedrine, having purchased 3 boxes of Pseudoephedrine from

a Wal-Mart store in Exeter Township, Berks County, Pennsylvania, in the form of “Equate Suphedrine,” a Wal-Mart generic brand of Pseudoephedrine. These boxes contained a total of 288 tablets, each box containing 96 tablets, each tablet containing approximately 30 mg of Pseudoephedrine.

9. Also on January 11, 2002, after leaving the Wal-Mart Store in Exeter Township and having purchased 3 boxes of Pseudoephedrine from that location, defendant HAROLD BALLOU, JR. then went to another Wal-Mart store in Pottstown, Montgomery County, Pennsylvania, and purchased additional boxes of Pseudoephedrine.

10. On or about January 12, 2002, defendant HAROLD BALLOU, JR. possessed the following items, among others, inside his residence:

a) 29 empty boxes of “Equate Suphedrine,” a Wal-Mart generic brand of Pseudoephedrine. These boxes contained approximately 83,520 mg of Pseudoephedrine, a total of 2,784 tablets, 96 tablets in each box, each containing 30 mg of Pseudoephedrine;

b) 12 blister packets of Sudafed brand Pseudoephedrine, containing approximately 63 tablets with some tablets missing;

c) plastic bag containing 2,991 tablets of Pseudoephedrine;

d) “Practical Organic Chemistry” text book with papers regarding iodine preparation folded inside the pages of the book;

e) Computer and accessories containing the following information, among others: information regarding chemicals consistent with the manufacture of methamphetamine, record of 10/5/01 purchase of iodine crystals in the name of MICHAEL SAVARESE to be delivered to a business of MICHAEL SAVARESE, articles related to methamphetamine and ephedrine, articles

relating to enforcement activities of the Drug Enforcement Administration (DEA) relating to the use of ephedrine in making methamphetamine, and photographs of various pieces of glassware used in the manufacture of methamphetamine;

- f) two one-gallon bottles of Acetone;
- g) one bottle of grain alcohol;
- h) one bottle of denatured alcohol; and
- i) key to storage locker bearing # 76.

11. On or about January 12, 2002, defendant HAROLD BALLOU, JR. possessed the following items, among others, inside Storage Locker # 76 in the Amity Self Storage Complex, located at 100 Ben Franklin Highway, off Route 422, in Amity Township, Berks County, Pennsylvania, used in the manufacture of methamphetamine and indicative of a clandestine methamphetamine laboratory: a) two one gallon containers of Isopropyl Alcohol, b) various sample bottles containing unknown liquids, c) hydrochloric acid, d) iron control additive, e) potassium iodine, f) iodine, g) sodium thiosulphate, h) potassium dichromate, i) red phosphorous, j) Air Purifier Respirator, k) Hamilton Bell Centrifuge, l) various glassware including but not limited to, 500 ml single neck flask with round bottom, 1000 ml flask, 1000 ml separatory funnel, m) 500 ml triple neck round bottom flask, n) glass stoppers, o) 250 ml graduated cylinders, p) vacuum pump, q) Nexus digital scale; and r) hot plate, s) tubing and t) filters.

12. On or about January 12, 2002, defendant MICHAEL SAVARESE went to defendant HAROLD BALLOU JR.'s residence at 202 Cameron Drive, Douglassville, Pennsylvania, driving his 1988 Chevy Cavalier, PA Reg. DRG 8123, with Pseudoephedrine for

use by HAROLD BALLOU, JR. to manufacture methamphetamine.

13 . On or about January 12, 2002 defendant MICHAEL SAVARESE possessed the following items inside his 1988 Chevy Cavalier, among others:

- a) 45 boxes of “Equate Suphedrine,” the Wal-Mart generic brand of Pseudoephedrine;
- b) 2 boxes of “Homebest Suphedrine” brand of Pseudoephedrine; and
- c) homemade metal press, used to pop pills out of blister packs.

14. From in or about October, 2001 through on or about January 14, 2002, in Berks County, in the Eastern District of Pennsylvania, and elsewhere, defendants

HAROLD BALLOU, JR.
and
MICHAEL SAVARESE

attempted to knowingly and intentionally manufacture, and aided and abetted the attempt to manufacture of, more than 50 grams of a mixture or substance containing a detectable amount of methamphetamine, a Schedule III controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A).

In violation of Title 21, United States Code, Section 846, and Title 18, United States Code, Section 2.

COUNT TWO
(Possession of a listed chemical, Pseudoephedrine)

THE GRAND JURY FURTHER CHARGES THAT:

From in or about October, 2001 through on or about January 14, 2002, in Berks County, in the Eastern District of Pennsylvania, and elsewhere, defendants

HAROLD BALLOU, JR.
and
MICHAEL SAVARESE

knowingly and intentionally possessed, and aided and abetted the possession of, a listed chemical, that is, Pseudoephedrine, a list I chemical under 21 U.S.C. § 802(34)(K), with intent to manufacture a controlled substance, that is, methamphetamine, a Schedule III controlled substance.

In violation of Title 21, United States Code, Sections 841(c)(1) and (2), and Title 18, United States Code, Section 2.

COUNT THREE
(Possession of a three-neck round bottom flask)

THE GRAND JURY FURTHER CHARGES THAT:

On or about January 12, 2002, in Berks County, in the Eastern District of Pennsylvania,
and elsewhere, defendant

HAROLD BALLOU, JR.

knowingly and intentionally possessed a three-neck, round-bottom flask, knowing and having
reasonable cause to believe that it would be used to manufacture methamphetamine, a Schedule
III controlled substance.

In violation of Title 21, United States Code, Sections 843(a)(6) and 843(d)(2).

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

1. As a result of the violations of Title 21, United States Code, Section 846, 841(c)(1) and (2), and 843(a)(6) and (d)(2) set forth in Counts One through Three of this Indictment, the defendants

HAROLD BALLOU, JR.
and
MICHAEL SAVARESE

shall forfeit to the United States of America:

15. any property used or intended to be used, in any manner or part, to commit, or to facilitate the commission of the violations of Title 21, United States Code, as charged in this Indictment, and

16. any property constituting, or derived from, any proceeds obtained directly or indirectly as the result of the violations of Title 21, United States Code, as charged in this Indictment.

3. If any of the property subject to forfeiture, as a result of any act or omission of the defendants:

1. cannot be located upon the exercise of due diligence;
2. has been transferred or sold to, or deposited with, a third party;
3. has been placed beyond the jurisdiction of the Court;
4. has been substantially diminished in value; or
5. has been commingled with other property which cannot be divided

without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to

forfeiture.

All pursuant to Title 21, United States Code, Section 853.

FOREPERSON

PATRICK L. MEEHAN
United States Attorney